

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

JAMES P. MEST,

Plaintiff,

v.

ORDER
08-CV-416A

USDA FSIS DR. MAURINA NAGUIB, DDM,
USDA FSIS ANTONY PICCIONE, FLS,
USDA FSIS KEVIN INGRAM, IIC,
LISA INGRAM, I,
DR. GORDON CRAFTS, PHV, and
DR. ROWHIE SHAMAA, SPHV,

Defendants.

The above-referenced case was referred to Magistrate Judge Leslie G. Foschio, pursuant to 28 U.S.C. § 636(b)(1)(B). On March 30, 2010, Magistrate Judge Foschio filed a Report and Recommendation, recommending that defendants' motion should be granted,

The Court has carefully reviewed the Report and Recommendation, the record in this case, and the pleadings and materials submitted by the parties, and no objections having been timely filed, it is hereby

ORDERED, that pursuant to 28 U.S.C. § 636(b)(1), and for the reasons set forth in Magistrate Judge Foschio's Report and Recommendation, defendants' motion to dismiss is granted.

The Clerk of Court shall take all steps necessary to close the case.

SO ORDERED.

s/ Richard J. Arcara

HONORABLE RICHARD J. ARCARA
UNITED STATES DISTRICT JUDGE

DATED: April 22, 2010